

deliberately misled Senator McCain?

A. Sure.

Q. And at the same time you struggled for a way to contradict or simply deny recalling parts of Mr. Eckstein's version of the July 14 meeting just enough to take the political influence inference out of the Hudson decision without appearing to call Mr. Eckstein a liar. Is that a fair statement?

A. Well, I thought you were leading me toward exoneration. Now I think you're leading me toward an indictment.

Q. I'm just asking you what was in your mind.

A. No. I'm just kidding. There's a little more in that than I'm certain that I want to - well, let's do it again.

Q. All right. At the same time, in September 1997 and then again in January of 1998, when you were preparing to appear before the two committees, didn't you struggle for a way to both contradict or simply deny recalling parts of Mr. Eckstein's version of the July 14 meeting just enough to take the political influence inference out of the Hudson decision but without appearing to call Mr. Eckstein a liar?

A. *No. I don't think so, because I really don't have a recollection of this conversation other than the kind of barest kind of essentials about the Ickes interchange, and I wasn't struggling for anything other than to, as best as I could, say what I thought I said in the context of being pretty certain that I didn't say this kind of highly specific deal, Ickes calling me. Now if that's what you're getting at, that's kind of my sense. But I'm not struggling to suppress a discussion, because this discussion just kind of went by me just like that. And I had no reason to even think about the discussion for at least six months. So I think we're a little bit apart there.*

(Babbitt Grand Jury Test. at 290:18-294:1 (emphasis added).)

Read in context, it is apparent that Secretary Babbitt's agreement with the prosecutor's use of the words and phrases "chose," "come back to haunt," and "struggle," and his retrospective recognition of the need to be more "forthcoming," were in no way intended to acknowledge attempting to mislead McCain. The Thompson Committee hearings, which Secretary Babbitt called a "witch hunt," (Babbitt Grand Jury Test. at 223:17), were openly and politically partisan. The Secretary's grand jury testimony was a frank recognition of the predicament in which he found himself as a witness testifying before a politically hostile Congressional committee whose Republican majority clearly suspected him of deceiving